IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

OP.No. 8298 of 2002(K)
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PETITIONERS:
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1. KISHORE KUMAR, FL-3, LICENSEE,
HOTEL OCEAN KING, THOPPUMPADY, RESIDING AT
ANARIKATTU HOUSE, PALLURUTHY, COCHIN-6.

2. P.J.ANTONY, S/O.OUSEPH, FL3 LICENSEE,
HOTEL HILL PALACE, ADIMALY.

3. DR.CHERIAN VARKEY, S/O.VARKEY,
FL3 LICENSEE, NEW SWAPANA BAR,
ALUVA, ERNAKULAM DISTRICT.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY, THIRUVANANTHAPURAM.

2. THE EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

BY SPECIAL GOVERNMENT PLEADER MR.C.T.RAVIKUMAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

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O.P. No.8298 of 2002-K

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Dated this the 9th day of August, 2007.

**J U D G M E N T**

**H.L.Dattu, C.J.**

In our view, as on today, the reliefs sought for by the third petitioner in this original petition does not survive for consideration of this court. Accordingly, the original petition is disposed of, as having become unnecessary. However, liberty is reserved to the third petitioner alone, to make an application under the provisions of the Abkari Act, if he so desires, for grant of a fresh licence to run the bar and restaurant

(2). In view of the order passed in the original petition, the reliefs sought in C.M.P.No.14798 of 2002 need not be considered by this court. Accordingly, the said C.M.P is rejected.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS